



YUIL 3.0-002 (DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
SI HYOUNG LEE et al.

Serial No.: 09/928,676

Confirmation No. 8351

Filed: August 13, 2001

For: OPTICAL ALIGNING APPARATUS
AND METHOD

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Group Art Unit 2877

Examiner Gordon J. Stock, Jr.

I hereby certify that this correspondence and/or fee is being
deposited with the United States Postal Service as First Class Mail
in an envelope addressed to Mail Stop: Amendment,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450 on November 10, 2004
(Date of Deposit)

(Signature)

11/10/04
(Date)

ELECTION

Sir:

This is in response to an Office Action mailed July 26, 2004, the time period for responding to which has been extended to and including November 26, 2004 by the accompanying Extension Petition. More particularly, the Examiner has requested an election under 35 USC §121 between the following species of the present invention:

Species 1 depicted in Fig. 3;

Species 2 depicted in Fig. 4;

Species 3 depicted in Fig. 5;

Species 4 depicted in Fig. 6; and

Species 5 depicted in Fig. 9.

In response to the Examiner's request, applicants hereby elect Species 1 depicted in Fig. 3 for further prosecution herein. Applicants believe that Claims 43-46 read on the elected species (i.e., the species of Fig. 3).


Although the foregoing election is made without traverse, applicants hereby reserve the right to add additional claims directed to the elected species and/or file a divisional application directed to the non-elected species in the event that no generic claim is found allowable. If a generic claim is found allowable, applicants understand that claims directed to the non-elected species will be entitled to consideration.

In view of the foregoing election, examination on the merits is respectfully requested. Should there remain any questions or other matters whose resolution could be advanced by a telephone call, the Examiner is cordially invited to contact the undersigned attorney at his number below.

No fees are believed to be due in connection with the submittal of this Election, other than the extension fees. If any fees are due, including extension fees, the Examiner is authorized to charge them to Deposit Account No. 501402.

Respectfully Submitted,

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